



COMMONWEALTH OF  
PUERTO RICO  
Environmental Quality Board

Desi/o

RETURN RECEIPT REQUESTED

August 21, 2014

Mr. Hans Rutzen  
Operations Director  
Buckeye Caribbean Terminal, LLC  
PO Box 186  
Yabucoa, Puerto Rico 00767

Dear Mr. Rutzen:

**RE: INTENT TO ISSUE A WATER QUALITY CERTIFICATE  
BUCKEYE CARIBBEAN TERMINAL, LLC  
STATE ROAD NO. 901, KM 2.7  
YABUCOA, PUERTO RICO  
NPDES NO. PR0000400**

U.S. EPA. REGION 4  
2614 AUG 25 PM 1:15  
PERMIT PROGRAM DIVISION

We have received and reviewed the application for a permit under Section 402, National Pollutant Discharge Elimination System (NPDES), of the Federal Clean Water Act, as amended (33 U.S.C. 466 *et seq.*) (the Act) for the discharges 001 and 002 of the referenced facility. We also have received and evaluated a request to obtain a Water Quality Certificate (WQC), submitted by Buckeye Caribbean Terminal, LLC (BCTL) in letter dated May 1, 2013, pursuant to Rule 1306.11 of the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended. In such letter, BCTL requested water quality standards at the end of the pipe as effluent limitations in the WQC.

Therefore, the Environmental Quality Board (EQB) prepared the draft WQC after due consideration of the applicable provisions established in the PRWQSR and in Sections 208 (e), 301, 302, 303, 304 (e), 306 and 307 of the Act, with water quality based effluent limitations. Copy of the draft WQC, Public Notice and Preliminary Determinations are enclosed.

It is required that the Spanish version of the aforementioned notice be published in a newspaper of general circulation in Puerto Rico for one (1) day, notifying the Board's intention to issue the WQC requested pursuant to the Act. Also, the petitioner must provide a publication affidavit from the newspaper in which such notice is published. The original of the affidavit shall be submitted to EQB prior to the end of the public participation period. The petitioner should contact Ms. Sara

Mr. Hans Rutzen  
IWQC Buckeye Caribbean Terminal, LLC  
NPDES No. PR0000400  
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Justicia, Manager of the Education and Communications Office of EQB at (787) 767-8181 extension 6135, to coordinate the publication of said public notice. The cost of the publication of such notice shall be paid by the petitioner of the corresponding permit that requires the WQC as indicated in Rule 1306.11 (B) of the PRWQSR.

Once the petitioner receives the draft WQC and the public notice, it will have a term of fifteen (15) days to publish the notice. If the petitioner does not publish the public notice within the aforementioned time period, the EQB may proceed to deny the WQC. In such case the Environmental Protection Agency will not issue the NPDES permit for the discharge in accordance with the provisions of Section 401 (a) (1) of the Act, and the Title 40 of the Code of Federal Regulations, Part 122.4 (b).

The EQB intends to certify, pursuant to the PRWQSR, that there is a reasonable assurance that the allowed discharges will not cause violations to the applicable water quality standards at the receiving water body, if the limitations and monitoring requirements in Tables A-1 and A-2 of the enclosed draft WQC are met. The conditions specified in the aforementioned tables shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 301 (b) (1) (C) of the Act.

This Board reserves the right to comment at a later date concerning any other environmental aspects of the discharge.

Cordially,

  
Wanda E. García Hernández  
Acting Manager  
Water Quality Area

HJCA/dcc

Enclosure

c. Ms. Michelle Josilo, EPA Region 2  
Eng. José Font, EPA-CEPD

PRELIMINARY DETERMINATIONS FOR  
WATER QUALITY CERTIFICATE

NPDES No. PR0000400

The Environmental Quality Board (EQB) has received from Buckeye Caribbean Terminal, LLC (BCTL) a request to obtain a Water Quality Certificate (WQC) with water quality standards at the end of the pipe as effluent limitations for the discharges of wastewaters and storm waters coming from the BCTL, located at State Road No. 901, Km 2.7, Yabucoa, Puerto Rico (P.O. Box 186, Yabucoa, Puerto Rico 00767). Also, BCTL has requested from the Environmental Protection Agency (EPA) a permit under the National Pollutant Discharge Elimination System (NPDES) for the referred discharges.

The applicant, BCTL, proposes to discharge 2,089.14 m<sup>3</sup>/day (0.5558 MGD) as daily maximum of wastewaters coming from its industrial operations, treated in their designated wastewater treatment systems prior to be discharged through discharge point 001 to Bahía de Yabucoa. Also, the applicant proposes to discharge waters composed of storm waters, air conditioner systems condensate and waters from firefighting drills through the discharge point 002 to Caño Santiago.

The receiving water bodies, Bahía de Yabucoa and Caño Santiago, are classified as SC and SD, respectively, by the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended.

After the corresponding evaluation of the NPDES permit renewal application, the WQC application, other available information, and the applicable provisions established in the PRWQSR and in Sections 208 (e), 301, 302, 303, 304 (e), 306 and 307 of the Federal Clean Water Act, as amended (33 U.S.C. 466 *et seq.*) (the Act); the EQB intends to issue a WQC, subject to compliance with all the conditions specified in Tables A-1 and A-2 which include water quality standards at the end of the pipe as effluent limitations. In this manner, EQB intends to certify that there is a reasonable assurance that the allowed discharges will not cause violations to the applicable water quality standards at the receiving water body.

The conditions specified in the aforementioned tables shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 301 (b) (1) (C) of the Act.





## SPECIAL CONDITIONS

NPDES NO. PR0000400

These special conditions are an integral part of the Water Quality Certificate (WQC) and shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 301(b)(1)(C) of the Federal Clean Water Act (CWA) as amended (33 U.S.C. 466 *et seq.*):

1. The flow of discharge 001 shall not exceed the limitation of 2,089.14 m<sup>3</sup>/day (0.5558 MGD) as daily maximum. No increase in flow of discharge 001 shall be authorized without a recertification from the Environmental Quality Board (EQB). <sup>1,4</sup>
2. The discharge 002 will consist of waters composed of storm water, air conditioner systems condensate and waters from firefighting drills. <sup>4</sup>
3. Prior to the construction of any additional treatment system, or the modification of the existing one, the permittee shall obtain the approval from EQB of the engineering report, plans and specifications. <sup>4</sup>
4. The permittee shall install, maintain and operate all water pollution control equipment in such manner as to be in compliance with the applicable Rules and Regulations. <sup>1,3</sup>
5. No toxic substances shall be discharged, in toxic concentrations, other than those allowed as specified in the NPDES permit. Those toxic substances included in the permit renewal application, but not regulated by the NPDES permit, shall not exceed the concentrations specified in the applicable regulatory limitations. <sup>2,3</sup>
6. The waters of Puerto Rico shall not contain any substance attributable to discharges 001 and 002, at such concentration which, either alone or as result of synergistic effects with other substances, is toxic or produces undesirable physiological responses in human, fish or other fauna or flora. <sup>2</sup>
7. The discharges 001 and 002 shall not cause the presence of oil sheen in the receiving water body. <sup>2</sup>
8. All sample collection, preservation, and analysis shall be carried out in accordance with the Title 40 of the Code of Federal Regulations (40 CFR) Part 136. A licensed chemist authorized to practice the profession in Puerto Rico shall certify all chemical analyses. All bacteriological tests shall be certified by a licensed microbiologist or medical technologist authorized to practice the profession in Puerto Rico. <sup>1,3</sup>

9. The samples taken for the analysis of Free Cyanide and Mercury shall be analyzed using the analytical method approved by the Environmental Protection Agency (EPA) with the lowest possible detection level, in accordance with Rule 1306.8 of the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended. <sup>3</sup>
10. The permittee shall use the approved EPA analytical method, with the lowest possible detection limit, in accordance with 40 CFR, Part 136 for Sulfide (as S). Also, the permittee shall complete the calculations specified in Method 4500-S<sup>-2</sup> F, Calculation of Un-ionized Hydrogen Sulfide, of Standards Methods 18<sup>th</sup> Edition, 1992, to determine the concentration of undissociated H<sub>2</sub>S. If the sample results of Dissolved Sulfide are below the detection limit of the approved EPA method established in the 40 CFR, Part 136, then the concentration of undissociated H<sub>2</sub>S should be reported as "below detection limit". <sup>2,3</sup>
11. The flow-measuring devices for the discharges 001 and 002 shall be periodically calibrated and properly maintained. Calibration and maintenance records must be kept in compliance with applicable Rules and Regulations. <sup>3,4</sup>
12. The sampling point for discharge 001 shall be located immediately after the primary flow-measuring device of the effluent of the treatment system.
13. The sampling point for discharge 002 shall be located immediately after the flow-measuring device of the discharge.
14. The sampling points for discharges 001 and 002 shall be labeled with an 18 inches per 12 inches (minimum dimensions) sign that reads as follow, according to the discharge:  

"Punto de Muestreo para la Descarga 001"

"Punto de Muestreo para la Descarga 002"
15. The sampling point for discharge 002 shall be accessible and free of vegetation, debris, trash, etc., at any time. <sup>4</sup>
16. The permittee shall keep daily records of rain, indicating the date and duration of the events. Copy of these records shall be submitted monthly to EQB.

17. STORM WATER POLLUTION PREVENTION PLAN (SWPP PLAN)/BEST MANAGEMENT PRACTICES PLAN (BMP PLAN) <sup>4</sup>

- a. A copy of the most recent version of the approved SWPP Plan/BMP Plan shall be maintained at the facility and shall be available upon request.
  - b. The SWPP Plan/BMP Plan shall be reviewed each five year and modified if necessary. A certification that the SWPP Plan/BMP Plan was reviewed shall be submitted not later than ninety (90) days after the Effective date of the NPDES Permit (EDP).
  - c. Whenever changes occur at the facility that materially increase the potential for releases of pollutants or when situations occur that reflect that the plan is inadequate, the SWPP Plan/BMP Plan shall be modified to include preventive measurements in order to address those situations.
  - d. If a modification of the SWPP Plan/BMP Plan is necessary, the permittee shall submit the modified SWPP Plan/BMP Plan to EQB for review and approval within ninety (90) days from the date when the Plan was revised or changes in the facility occurred. The modified SWPP Plan/BMP Plan shall be implemented within ninety (90) days after EQB's approval.
18. The permittee shall comply at all times with the provisions, measures or practices included in the most recent version of the SWPP Plan/BMP Plan (Special Condition 17) approved by EQB. <sup>4</sup>
19. WHEN FLOW OCCURS (WFO) <sup>4</sup>

WFO - For our purposes means when flow occurs through discharge point 002 during normal business hours of the facility, but not more often than one rainfall runoff sampling per month.

a. First Half of Month

During the first fifteen (15) days of the month, sampling shall be as follows: A minimum period of 48 hours without measurable precipitation (measurable precipitation being rainfall greater than 0.1 inch) shall precede the storm event to be sampled. For those parameters which require grab samples, the sample shall be taken during the first thirty (30) minutes of storm water discharge.



b. Second Half of Month

In the event that the permittee is unable to satisfy the above condition during the first fifteen (15) days of the month, beginning on the sixteenth (16<sup>th</sup>) day of the month, the permittee shall sample any storm water discharge which occurs during normal business hours for the facility.

c. General Requirements

The permittee must report in a cover letter attached to each Discharge Monitoring Report (DMR), details of the conditions under which the storm water samples were taken and the date of sampling.

Alternatively, if no sample was taken during the month, the permittee shall be deemed to have met the sampling requirements if the permittee certifies that it was not possible to satisfy the specified sampling protocol during the first fifteen (15) days of the month and that there was no measurable discharge of storm water during normal business hours from the sixteenth (16<sup>th</sup>) day of the month until the last day of the month.

20. The storm water discharge associated with industrial activities covered by this WQC will not cause violations to the applicable water quality standards at the receiving water body.<sup>3</sup>
21. All water or wastewater treatment facilities, whether publicly or privately owned, must be operated by a person licensed by the Potable Water and Wastewater Treatment Plants Operators Examining Board of the Commonwealth of Puerto Rico.<sup>3</sup>
22. This special condition shall not become in effect until EQB has determined the applicability to the respective facility and has notified the permittee and the EPA, in writing, of the necessity to comply with this special condition.

No later than one hundred eighty (180) days after the Effective Date of this NPDES Permit Condition (EDPC), the permittee shall conduct quarterly acute toxicity tests for a period of one (1) year, after which the tests shall be performed annually, of its wastewater discharge through Outfall Serial Number 001 in accordance with the following:<sup>3</sup>

- a. The test species should be silverside (Menidia beryllina) and mysid (Mysidopsis bahia). The test should be static renewal type.



- b. The toxicity tests shall be conducted in accordance with the EPA publication, EPA 821-R-02-012 Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Edition), October 2002, or the most recent edition of this publication, if such edition is available.
  - c. The tests shall provide a measure of the acute toxicity as determined by the wastewater concentration, which cause 50 percent mortality of the organisms over a 48-hour period. The test results shall be expressed in terms of Lethal Concentration (LC) and reported as 48-hour LC<sub>50</sub>.
  - d. A procedure report shall be submitted within ninety (90) days after EDPC. The following information shall be included in the procedure report:
    - 1. An identification of the organizations responsible for conducting the tests and species to be tested.
    - 2. A detailed description of the methodology to be utilized in the conduct of the tests, including equipment, sample collection, dilution water and source of test organisms.
    - 3. A schematic diagram, which depicts the effluent sampling location in relation to the wastewater treatment facility and the discharge monitoring point.
  - e. The results of the tests conducted shall be submitted to EPA Region 2 and EQB within sixty (60) days of completion of each test. Based on a review of the test results, the Regional Administrator of EPA or the EQB can require additional toxicity tests, including chronic tests and toxicity/treatability studies, and may impose toxicity limitations.
23. The solid wastes such as sludge, screenings and grit, generated due to the operation of the treatment systems shall be:
- a. Disposed in compliance with the applicable requirements established in the 40 CFR, Part 257. A semiannual report shall be submitted to EQB and EPA notifying the method or methods used to dispose the solid wastes generated in the facility. Also, copy of the approval or permit applicable to the disposal method used shall be submitted, if any.

Special Conditions

NPDES No. PR0000400

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b. Transported adequately in such way that access is not gained to any water body or soil. In the event of a spill of solid waste on land or into a water body, the permittee shall notify the Point Sources Permits Division of EQB's Water Quality Area in the following manners:

- 1) By telephone communication within a term no longer than twenty four (24) hours after the spill (787) 767-8073.
- 2) By letter, within a term no longer than five (5) days after the spill.

These notifications shall include the following information:

- a) spill material,
- b) spill volume,
- c) measures taken to prevent the spill material to gain access to any water body.

This special condition does not relieve the permittee from its responsibility to obtain the corresponding permits from the EQB's Land Pollution Control Area and other state and federal agencies, if any. <sup>3,5</sup>

24. A log book should be kept for the material removed from the treatment systems such as sludge, screenings and grit, detailing the following items:

- a. removed material, date and source of it;
- b. approximate volume and weight;
- c. method by which it is removed and transported;
- d. final disposal and location;
- e. person that offers the service.

A copy of the Non Hazardous Solid Waste Collection and Transportation Service Permit issued by the authorized official from the EQB should be attached to the logbook. <sup>3</sup>

25. Each condition of this WQC is considered as separate. Therefore, if the applicability of any condition of this WQC is stayed due to any circumstance, the remaining conditions of this WQC will not be affected.

26. The EQB, by the issuance of this WQC, does not relieve the applicant from its responsibility to obtain additional permits or authorizations from the EQB as required by law. The issuance of the WQC shall not be construed as an authorization to conduct activities not specifically covered in the WQC, which will cause water pollution as defined by the PRWQSR.<sup>4</sup>

1, 2, 3, 4 and 5 see next page



1. According to Rule 1301 of the Puerto Rico Water Quality Standards Regulation, as amended.
2. According to Rule 1303 of the Puerto Rico Water Quality Standards Regulation, as amended.
3. According to Rule 1306 of the Puerto Rico Water Quality Standards Regulation, as amended.
4. According to the Environmental Public Policy Act of September 22, 2004, Act No. 416, as amended.
5. According to Section 405 (d) (4) of the Federal Clean Water Act as amended (33 U.S.C. 466 *et seq.*).

During the period beginning on the EDP and lasting through the EDP + 5 years, the permittee is authorized to discharge from outfall serial number 001 treated wastewaters coming from its industrial operations <sup>(P)</sup>. Such discharge shall be limited and monitored by the permittee as specified below:

Receiving Water Name and Classification: Bahía de Yabucoa, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
2,4,6-Trichlorophenol ( $\mu\text{g/L}$ ) <sup>2,3</sup>	---	---	$\alpha$	Grab
2,4-Dichlorophenol ( $\mu\text{g/L}$ ) <sup>2,3</sup>	---	---	$\alpha$	Grab
2-Chlorophenol ( $\mu\text{g/L}$ ) <sup>2,3</sup>	---	---	$\alpha$	Grab
2-Methyl-4,6-Dinitrophenol ( $\mu\text{g/L}$ ) <sup>2,3</sup>	---	---	$\alpha$	Grab
Benzo (a) Anthracene ( $\mu\text{g/L}$ ) <sup>2,3</sup>	---	---	$\alpha$	Grab
Benzo (a) Pyrene ( $\mu\text{g/L}$ ) <sup>2,3</sup>	---	---	$\alpha$	Grab
Benzo (k) Fluoranthene ( $\mu\text{g/L}$ ) <sup>2,3</sup>	---	---	$\alpha$	Grab
BOD <sub>5</sub> (mg/L) <sup>1,2,3</sup>	30.0		Monthly	Composite
Chromium VI (Cr <sup>+6</sup> ) ( $\mu\text{g/L}$ ) <sup>2,3</sup>		50.35	$\lambda$	Grab
Color (Pt-Co Units) <sup>2,3</sup>	Shall not be altered except by other than natural causes.			Monthly
Copper (Cu) ( $\mu\text{g/L}$ ) <sup>2,3</sup>		3.73	Monthly	Grab

TABLE A-1

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0000400

Receiving Water Name and Classification: Bahía de Yabucoa, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Cyanide, Free (CN) (µg/L) $\phi$ <sup>2,3</sup>		----	$\alpha$	Grab
Dibenzo (a,h) Anthracene (µg/L) <sup>2,3</sup>		----	$\alpha$	Grab
Dissolved Oxygen (mg/L) <sup>1,2,3</sup>	Shall not be less than 4.0.		Daily	Grab
Enterococci (colonies/100 mL) <sup>1,2,3</sup>	The geometric mean of at least five representative samples taken sequentially, shall not exceed 35 colonies/100 mL. No single sample should exceed the upper confidence limit of 75% using 0.7 as the log standard deviation, until sufficient site data exist to establish a site-specific log standard deviation.			Monthly Grab
Fecal Coliforms (colonies/100 mL) <sup>1,2,3</sup>	The geometric mean of a series of representative samples (at least five samples), of the waters taken sequentially shall not exceed 200 colonies/100 mL. Not more than 20% of the samples shall exceed 400 colonies/100 mL.			Monthly Grab
Flow m <sup>3</sup> /day (MGD) <sup>1,3,4</sup>	2,089.14 (0.5518)		Continuous Recording	
Lead (Pb) (µg/L) <sup>2,3</sup>	8.52		Quarterly	Grab
Mercury (Hg) (µg/L) $\phi$ <sup>2,3</sup>	0.051		Monthly	Grab



TABLE A-1

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0000400

Receiving Water Name and Classification: Bahía de Yabucoa, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Nickel (Ni) ( $\mu\text{g/L}$ ) <sup>2,3</sup>		8.28	$\lambda$	Grab
Nitrogen ( $\text{NO}_3$ , $\text{NO}_2$ , $\text{NH}_3$ ) ( $\mu\text{g/L}$ ) <sup>2,3</sup>		5,000	Monthly	Grab
Oil and Grease ( $\text{mg/L}$ ) <sup>2,3</sup>	The water of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oils and greases.			Grab
Pentachlorophenol ( $\mu\text{g/L}$ ) <sup>2,3</sup>		----	$\alpha$	Grab
pH (SU) <sup>2,3</sup>	Shall always lie between 7.3 and 8.5.			Grab
Residual Chlorine ( $\text{mg/L}$ ) $\gamma$ <sup>2,3</sup>		0.50	Daily	Grab
Silver (Ag) ( $\mu\text{g/L}$ ) <sup>2,3</sup>		2.24	Quarterly	Grab
Solids and Other Matter <sup>2,3</sup>	The waters of Puerto Rico shall not contain floating debris, scum or other floating materials attributable to the discharge in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.			----
Sulfide (Undissociated $\text{H}_2\text{S}$ ) ( $\mu\text{g/L}$ ) $\delta$ <sup>2,3</sup>		2	Monthly	Grab

TABLE A-1

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0000400

Receiving Water Name and Classification: Bahía de Yabucoa, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Surfactants (as MBAS) ( $\mu\text{g/L}$ ) <sup>1,2,3</sup>		500	Monthly	Grab
Suspended, Colloidal or Settleable Solids ( $\text{mL/L}$ ) <sup>1,2,3</sup>	Solids from wastewater source shall not cause deposition in or be deleterious to the existing or designated uses of the water body.		Daily	Grab
Taste and Odor Producing Substances <sup>2,3</sup>	Shall contain none in amounts that will render any undesirable taste or odor to edible aquatic life.		----	----
Thallium (Tl) ( $\mu\text{g/L}$ ) <sup>2,3</sup>		----	$\alpha$	Grab
Total Suspended Solids ( $\text{mg/L}$ ) <sup>3</sup>	----	----	Monthly	Composite
Turbidity (NTU) <sup>2,3</sup>		10	Monthly	Grab
Temperature $^{\circ}\text{F}$ ( $^{\circ}\text{C}$ ) <sup>2,3</sup>	Except by natural causes, no heat may be added to the waters of Puerto Rico, which would cause the temperature of any site to exceed $90^{\circ}\text{F}$ ( $32.2^{\circ}\text{C}$ ).		Daily	Grab
Zinc (Zn) ( $\mu\text{g/L}$ ) <sup>2,3</sup>		85.62	Quarterly	Grab
Special Conditions	See attached sheet, which contains special conditions that constitute part of this certification.		----	----

TABLE A-1

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0000400

Receiving Water Name and Classification: Bahía de Yabucoa, SC

## Notes:

To comply with the monitoring requirements specified above, samples shall be taken at the sampling point for discharge 001.

All flow measurements shall achieve accuracy within the range of plus or minus ( $\pm$ ) 10%.

$\gamma$  See Special Conditions 5 and 6.

$\phi$  See Special Condition 9.

$\delta$  See Special Condition 10.

$\beta$  Wastewaters coming from the following industrial operations:

- |                                  |                                      |
|----------------------------------|--------------------------------------|
| • firefighting drills            | • domestic use                       |
| • pavements washwaters           | • storm waters from OLEIN            |
| • storm waters from refinery     | • dock's storm waters                |
| • refinery demolition washwaters | • air conditioner systems condensate |
| • laboratory discharges          | • tanks secondary containment drains |

$\alpha$  The permittee shall implement a monthly monitoring program using the analytical method approved by EPA with the lowest possible detection level, in accordance with Rule 1306.2 (C) of the PRWQSR as amended, for one (1) year period, after which they will be conducted annually. The monitoring program shall commence no later than thirty (30) days after the EDP. The results of the monitoring program shall be submitted to EQB and EPA-Region 2 no later than sixty (60) days of completion of the one (1) year monitoring program. Based on the evaluation of the results obtained, EQB will determine if an effluent limitation is necessary for this parameter. In such case the WQC will be reopened to include the applicable effluent limitation.



## TABLE A-1

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0000400

Receiving Water Name and Classification: Bahía de Yabucoa, SC

- λ The permittee shall implement a monthly monitoring program using the analytical method approved by EPA with the lowest possible detection level, in accordance with Rule 1306.2 (C) of the PRWQSR, as amended, for one (1) year period, after which they will be conducted annually. The monitoring program shall commence not later than thirty (30) days after the EDP. The results of the monitoring program shall be submitted to EQB and EPA-Region 2 not later than sixty (60) days of completion of the one year monitoring program. Based on the evaluation of the results obtained, EQB will determine if more frequent monitoring is necessary for this parameter. In such case, the WQC will be reopened to revise the monitoring frequency for such parameter, if considered necessary.

1, 2, 3 and 4 see page 8 of the Special Conditions.

TABLE A-2

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0000400

During the period beginning on the EDP and lasting through the EDP + 5 years, the permittee is authorized to discharge from outfall serial number 002 waters composed of storm water, air conditioner systems condensate and waters from firefighting drills. Such discharge shall be limited and monitored by the permittee as specified below:

Receiving Water Name and Classification: Caño Santiago, SD

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Color (Pt-Co Units) <sup>2,3</sup>		15	WFO	Grab
Dissolved Oxygen (mg/L) <sup>1,2,3</sup>	Shall not be less than 5.0.		WFO	Grab
Flow m <sup>3</sup> /day (MGD) <sup>1,3,4</sup>		N/A	WFO	Measured
Oil and Grease (mg/L) <sup>2,3</sup>	The waters of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oils and greases.		WFO	Grab
pH (SU) <sup>2,3</sup>	Shall always lie between 6.0 and 9.0.		WFO	Grab
Solids and Other Matter <sup>2,3</sup>	The waters of Puerto Rico shall not contain floating debris, scum or other floating materials attributable to the discharge in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.		----	----

TABLE A-2

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0000400

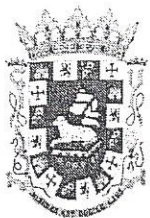
Receiving Water Name and Classification: Caño Santiago, SD

Effluent Characteristics	Gross Discharge Limitations		Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Suspended, Colloidal or Settleable Solids (mL/L) <sup>1,2,3</sup>	Solids from wastewater source shall not cause deposition in or be deleterious to the existing or designated uses of the water body.		WFO	Grab
Taste and Odor Producing Substances <sup>2,3</sup>	Shall not be present in amounts that will interfere with the use for potable water supply, or will render any undesirable taste or odor to edible aquatic life.		----	----
Temperature °F (°C) <sup>2,3</sup>	Except by natural causes, no heat may be added to the waters of Puerto Rico, which would cause the temperature of any site to exceed 90°F (32.2°C).		WFO	Grab
Turbidity (NTU) <sup>2,3</sup>	50		WFO	Grab

Notes:

To comply with the monitoring requirements specified above, samples shall be taken at the sampling point for discharge 002.  
1, 2, 3 and 4 see page 8 of the Special Conditions.





COMMONWEALTH OF  
PUERTO RICO  
Environmental Quality Board

## *ENVIRONMENTAL NOTICE*

### INTENT TO ISSUE A WATER QUALITY CERTIFICATE

NPDES No. PR0000400

The Environmental Quality Board (EQB) has received from Buckeye Caribbean Terminal, LLC (BCTL) a request to obtain a Water Quality Certificate (WQC) with water quality standards at the end of the pipe as effluent limitations for the discharges of wastewaters and storm waters coming from the BCTL, located at State Road No. 901, Km 2.7, Yabucoa, Puerto Rico (P.O. Box 186, Yabucoa, Puerto Rico 00767). Also, BCTL has requested from the Environmental Protection Agency (EPA) a permit under the National Pollutant Discharge Elimination System (NPDES) for the referred discharges.

The applicant, BCTL, proposes to discharge 2,089.14 m<sup>3</sup>/day (0.5558 MGD) as daily maximum of wastewaters coming from its industrial operations, treated in their designated wastewater treatment systems prior to be discharged through discharge point 001 to Bahía de Yabucoa. Also, the applicant proposes to discharge waters composed of storm waters, air conditioner systems condensate and waters from firefighting drills through the discharge point 002 to Caño Santiago.

The receiving water bodies, Bahía de Yabucoa and Caño Santiago, are classified as SC and SD, respectively, by the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended.

After duly evaluating the submitted documents, this Board has the intention to issue the WQC with water quality standards at the end of the pipe as effluent limitations for the aforementioned facility.

Section 401 of the Federal Clean Water Act, as amended (33 U.S.C. 466 *et seq.*) (the Act), requires EPA, that prior to issuing a discharge permit under the NPDES, a WQC must be obtained from the state agency with jurisdiction over water pollution control. In Puerto Rico, such agency is the EQB.

The WQC is issued to ascertain that the discharges are in compliance with the applicable provisions established under Sections 208 (e), 301, 302, 303, 304 (e), 306, and 307 of the Act. Section 208 (e) establishes that "No permit under Section 402 of the Act shall be issued for any point source which is in conflict with the Area wide Waste Treatment Management



Plans". Section 301 refers to the effluent limitations for point sources, including private and publicly owned treatment works, and the dates by which these should be implemented, as well as the applicable water quality standards.

Section 302 refers to water quality related effluent limitations. Section 303 refers to the water quality standards and implementation plans. Section 304 (e) refers to the incorporation of a Best Management Practices Plan (BMPP) in the discharge permit conditions. Section 306 deals with the national standards of performance for New Sources, as defined by this Section. Section 307 covers effluent standards for toxic materials and pretreatment requirements for wastewaters discharged into treatment works.

Copy of the NPDES permit application, the draft WQC and other pertinent documents are available for inspection by the public at the Points Sources Permits Division of the Water Quality Area, in the Third Floor, Wing A, Office 301 of the Cruz A. Matos Environmental Agencies Building, 1375 Ponce de León Avenue, Urb. San José Industrial Park, San Juan, Puerto Rico 00926-2604. Copies of said documents may only be obtained (\$0.50 per sheet) at the above mentioned address between 8:00 a.m. and 4:00 p.m. from Monday through Friday or by writing to the following address: Environmental Quality Board, PO Box 11488, San Juan, PR 00910.

Interested or affected parties may submit their written comments to Eng. Wanda E. García Hernández, Acting Manager of the Water Quality Area, to the above mentioned address no later than **thirty (30) days** after the publication of this notice. The deadline for the submittal of comments may be extended if deemed necessary of the public interest.

All interested or affected parties may request a public hearing. Such request must be submitted to the Governing Board of the EQB in writing to the aforementioned address, no later than **thirty (30) days** after the publication of this notice and shall state the reason or reasons that warrant a public hearing. All interested or affected parties will be given reasonable opportunity to present evidence or testimony at the public hearing on the question whether to grant or deny the certification, if the Governing Board determines that such a hearing is necessary or appropriate.

by:   
Laura M. Vélez Vélez, Esq.  
Executive Director

This notice is publishing according to the Public Policy Environmental Act, Act No. 416 of September 22, 2004, as amended. The petitioner shall pay the cost of the publication of such notice.